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Strengthening the role of mediation in the peaceful settlement of disputes, conflict prevention and resolution

Algeria, Belgium, Brazil, Costa Rica, Finland, Ireland, Qatar, Slovenia, Spain and Turkey: draft resolution

Strengthening the role of mediation in the peaceful settlement of disputes, conflict prevention and resolution

The General Assembly,

Recalling its resolutions 65/283 of 22 June 2011, 66/291 of 13 September 2012 and 68/303 of 13 August 2014 on strengthening the role of mediation in the peaceful settlement of disputes, conflict prevention and resolution, and all other relevant General Assembly resolutions and Security Council resolutions and presidential statements related to mediation,

Guided by the purposes and principles enshrined in the Charter of the United Nations,

Reaffirming its commitment to respect the sovereignty, territorial integrity and political independence of all States,

Recalling Chapter VI, including Article 33, of the Charter of the United Nations, and other Articles relevant to mediation,

Bearing in mind its responsibilities, functions and powers under the Charter of the United Nations, and thus recalling all its relevant resolutions in matters related to the peaceful settlement of disputes, conflict prevention and resolution, including through mediation,

Reaffirming the respective role and authority of the General Assembly and the Security Council in the maintenance of international peace and security in accordance with the Charter of the United Nations,

Reaffirming its commitment to uphold the sovereign equality of all States, respect for their territorial integrity and political independence and the duty of Member States to refrain in their international relations from the threat or use of force in any manner inconsistent with the purposes and principles of the United Nations, and to uphold the resolution of disputes by peaceful means and in

conformity with the principles of justice and international law, the right to self-determination of peoples which remain under colonial domination or foreign occupation, non-interference in the internal affairs of States, respect for human rights and fundamental freedoms, respect for the equal rights of all without distinction as to race, sex, language or religion, international cooperation in solving international problems of an economic, social, cultural or humanitarian character and the fulfilment in good faith of the obligations assumed in accordance with the Charter of the United Nations,

Bearing in mind that armed and other types of conflicts persist in many parts of the world,

Emphasizing that terrorism, in all its forms and manifestations, is a serious threat in many parts of the world, and *recalling* its commitment to implement, in a balanced and integrated manner, the four pillars of the United Nations Global Counter-Terrorism Strategy,

Recalling that the peaceful settlement of disputes, conflict prevention and resolution, in accordance with the Charter of the United Nations and international law, including through mediation, remain a primary responsibility of Member States without prejudice to Article 36 of the Charter of the United Nations, and to that end, *emphasizing* the importance of developing and supporting national capacities, as appropriate,

Reiterating the importance of national ownership and leadership in sustaining peace, whereby the responsibility for sustaining peace is broadly shared by the Government and all other national stakeholders and *underlining* the importance, in this regard, of inclusivity in order to ensure that the needs of all segments of society are taken into account, and in line with this, *acknowledging* the importance of engaging in mediation efforts with all relevant stakeholders, as appropriate and in accordance with applicable international law,

Recognizing the important role that various national, local and civil society actors can play in advancing peaceful settlement of disputes, conflict prevention and resolution, including civil society organizations, women's groups, youth organizations, the private sector and community leaders, and *further encouraging* their contributions and continued coordination to improve complementarity in mediation activities, as appropriate,

Acknowledging the recent review processes to strengthen the United Nations system, and in this regard, *taking note* of the report of the High-level Independent Panel on Peace Operations and the report of the Secretary-General on the Future of United Nations Peace Operations,[1] which formed the basis for its resolutions 70/6 and 70/268, the report of the Advisory Group of Experts on the Review of the United Nations Peacebuilding Architecture,[2] which formed the basis for its resolution 70/262, as well as the report of the Secretary-General submitting the results of the Global Study on the implementation of resolution 1325 (2000) on women, peace and security,[3]

[1] A/70/95-S/2015/446 and A/70/357-S/2015/682.
[2] A/69/968-S/2015/490.
[3] S/2015/716.

Reiterating the call of these review processes for a stronger emphasis on mediation and conflict prevention and giving priority to seeking inclusive, long-term political solutions to conflicts, as part of a comprehensive approach to sustaining peace, and furthermore, *encouraging* coherence, synergies and complementarities in taking forward the results of these reviews,

Recognizing the potential of mediation in preventing conflicts, also reaffirmed in the report of the Secretary-General on conflict prevention,[4] and the importance of mediation activities in all phases of the conflict cycle, for sustaining peace as defined in its resolution 70/262 and the United Nations Security Council resolution 2282 (2016),

Taking note of the report of the Secretary-General for the World Humanitarian Summit[5] that called for strengthening prevention and mediation capabilities of the United Nations,

Recognizing mediation as an efficient and cost-effective tool in the peaceful settlement of disputes, conflict prevention and resolution, and *welcoming* its increased use without prejudice to other means mentioned in Chapter VI of the Charter of the United Nations,

Appreciating the efforts of the Secretary-General, the Member States, regional and subregional organizations and other relevant actors to support and promote the use of mediation,

Recalling the good offices of the Secretary-General, including in preventive diplomacy, and appreciating his efforts to continue to strengthen United Nations mediation support capacities, in accordance with the Charter of the United Nations, relevant United Nations resolutions and respective mandates,

Acknowledging that effective mediation and mediation support require systematic efforts at all levels, including at the national level, *inter alia*, timely conflict analysis, development of case-specific strategic roadmaps for mediation drawing on best practices and lessons learnt, and identification of appropriate expertise,

Recognizing the necessity for cooperation and coordination among actors involved in a specific mediation context, in order to increase the effectiveness of the mediation efforts and avoid duplication,

Reaffirming the role of regional and subregional organizations in the maintenance of international peace and security, in accordance with provisions of Chapter VIII of the Charter of the United Nations, *taking note* of their important role as mediators, within agreed mandates, in many regions, acting with the consent of parties to a particular dispute or conflict, *taking note* of the report of the Secretary-General on cooperation between the United Nations and regional and subregional organizations on mediation,[6] and *stressing* the growing need for partnerships and cooperation between the United Nations and regional and subregional organizations in the field of mediation and conflict prevention, in line with their mandates,

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[4] Report of the Secretary-General on the United Nations and conflict prevention: a collective recommitment (S/2015/730).

[5] A/70/709.

[6] A/70/328.

Appreciating the increased capacity for engagement in mediation by the African Union and the other regional and subregional organizations, and *welcoming* the efforts of the Secretary-General to work together with regional and subregional organizations to strengthen their mediation support capacities, upon request and in accordance with agreed mandates,

Recognizing the importance of the equal and effective participation and the full involvement of women at all levels, at all stages and in all aspects of the peaceful settlement of disputes, conflict prevention and resolution, as well as making available adequate gender expertise for all mediators and their teams, *also recognizing* the contribution by women in the peaceful settlement of disputes, conflict prevention and resolution and their role as mediators, and *affirming* that further efforts are necessary to appoint women as chief or lead peace mediators in order to achieve gender balance, and in this context *reaffirming* the full and effective implementation of all relevant United Nations resolutions, including those on women, peace and security, and the Beijing Declaration and Platform for Action,[7] and furthermore *welcoming* the role of the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) in this respect,

Taking note of the commitment of the Secretary-General to support the role of mediation in the United Nations and *acknowledging* the importance of adequate funding in this regard,

1. *Reiterates* that all Member States should strictly adhere to their obligations as laid down in the Charter of the United Nations, including in the peaceful settlement of disputes, conflict prevention and resolution;

2. *Acknowledges* the importance of mediation in the peaceful settlement of disputes, conflict prevention and resolution, and in seeking long-term political solutions for sustaining peace, and *recognizes* that mediation needs to be further and more effectively used, without prejudice to other means mentioned in Chapter VI of the Charter of the United Nations;

3. *Welcomes* the increasing contributions of Member States, as well as of the United Nations and of regional and subregional organizations, to mediation efforts, as appropriate;

4. *Recognizes* that responsible and credible mediation requires, inter alia, national ownership, the consent of the parties to a particular dispute or conflict, respect for national sovereignty, the impartiality of the mediators, their compliance with agreed mandates, compliance with obligations of States and other relevant actors under international law, including applicable treaties, the operational preparedness, including process and substantive expertise, of the mediators, and coherence, coordination and complementarity of mediation efforts,

5. *Stresses* that the prevention of conflicts remains a primary responsibility of States and actions undertaken within the framework of conflict prevention by the United Nations should support and complement, as appropriate, the conflict prevention roles of national governments;

6. *Reiterates* the critical importance of prevention of armed conflicts in a timely and effective manner, and to that end, *encourages* the Member States, as well

[7] Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995 (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

as the United Nations and regional and subregional organizations to promote the use of appropriate peaceful means, primarily preventive diplomacy and mediation, in accordance with the Charter of the United Nations;

7. *Acknowledges* the importance of system-wide coherence, coordination and sustained engagement in mediation for the peaceful settlement of disputes, conflict prevention and resolution within the United Nations, as appropriate and, in this regard, *encourages* closer cooperation among relevant United Nations organs and representatives, in accordance with the provisions of the Charter of the United Nations and respective mandates, while avoiding duplication of efforts;

8. *Emphasizes* the importance of coherence, coordination and complementarity of mediation efforts between the United Nations, regional and subregional organizations and other relevant actors, in view of the needs of a specific mediation context, including strategic coordination by lead mediators with other actors in support of a peace process and development of a common approach, in accordance with agreed mandates;

9. *Appreciates* the work undertaken to enhance the cooperation between the United Nations and regional and subregional organizations on mediation, and *encourages* further development of these partnerships in order to enhance mediation, preventive diplomacy and conflict prevention;

10. *Invites* Member States, as well as the United Nations and regional and subregional organizations, as appropriate, to continue to enhance the use of mediation and other tools mentioned in Chapter VI of the Charter for the peaceful settlement of disputes, conflict prevention and resolution, and, in this regard, *encourages* devoting further support and resources, as necessary, to the efforts to further professionalize mediation support for the mediation initiatives of the Member States, the United Nations and regional and subregional organizations;

11. *Encourages* Member States, as well as the United Nations and regional and subregional organizations, to continue to develop, where appropriate, their mediation capacities in the peaceful settlement of disputes, conflict prevention and resolution, to enable a professional approach in their mediation activities and the effectiveness of mediation, and *requests* the Secretary-General to continue to work with Member States and relevant regional and subregional organizations, upon request and in accordance with agreed mandates, in mediation capacity-building, including in broadening the capacity of the developing countries;

12. *Further recognizes* increasing contribution by the African Union in efforts to peacefully settle conflicts of its members, and the peace initiatives conducted by the African regional and subregional organizations;

13. *Welcomes* and *further encourages* regional initiatives by Member States as well as the United Nations and regional and subregional organizations to strengthen mediation in their regions, as appropriate, such as the Mediation in the Mediterranean Initiative with its continued activities;

14. *Welcomes* the good offices of the Secretary-General and the contribution of the Secretariat to the United Nations mediation efforts, and *requests* the Secretary-General to continue to offer his good offices, in accordance with the Charter and the relevant United Nations resolutions, and to provide mediation

support, where appropriate, to his special representatives and envoys as well as, upon request, to Member States and regional and subregional organizations;

15. *Encourages* the use, as appropriate, of the United Nations Guidance for Effective Mediation in mediation efforts, in accordance with the purposes and principles enshrined in the Charter of the United Nations;

16. *Acknowledges* the importance for the United Nations field missions to work closely with national stakeholders and local communities in accordance with mission mandates, and to further encourage, as appropriate, the confidence-building measures and dialogue, including at the community level, in order to prevent conflict and support reconciliation, in line with the principle of national ownership and with a view to sustaining peace;

17. *Further encourages* Member States and regional and subregional organizations to promote equal, full and effective participation of women in all forums and at all levels of the peaceful settlement of disputes, conflict prevention and resolution, particularly at the decision-making level, as well as in the implementation and monitoring of peace agreements;

18. *Encourages* the Secretary-General to continue to appoint women as chief or lead mediators and as members of mediation teams in United Nations-sponsored peace processes, as well as to ensure adequate gender expertise for all United Nations processes, and *invites* similar efforts by Member States as well as by regional and subregional organizations, in order to address the frequent underrepresentation of women in peace processes;

19. *Calls upon* all those engaged in mediation activities to promote the integration of women's needs and gender perspectives in all policy development, planning and carrying out of mediation processes and implementation of their outcomes, *inter alia*, through conducting conflict analyses in a gender-sensitive manner, including on the occurrence of sexual violence in conflict where pertinent;

20. *Encourages* Member States, as appropriate, to use the mediation capacities of the United Nations as well as those of regional and subregional organizations, where applicable, and to promote mediation in their bilateral and multilateral relations;

21. *Invites* all Member States to provide sustained political support, expertise and timely and adequate resources, including through the United Nations, for mediation and, as appropriate, for the implementation of agreed outcomes of mediation processes, in order to assure their success, as well as for mediation capacity-building activities of the United Nations and of regional and subregional organizations;

22. *Emphasizes* the importance of facilitating interaction by mediators between concerned parties and other stakeholders, as appropriate, as well as inclusive national processes in the implementation of the agreed outcomes of mediation processes;

23. *Requests* the Secretary-General to submit a report to the General Assembly at its seventy-second session on United Nation's activities in support of mediation in the peaceful settlement of disputes, conflict prevention and resolution;

24. *Invites* the Secretary-General to regularly brief Member States on mediation activities of the United Nations, in order to promote closer consultation with Member States and to increase transparency;

25. *Decides* to continue its consideration of the question "Strengthening the role of mediation in the peaceful settlement of disputes, conflict prevention and resolution" at its seventy-second session.